

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RICHARD B. HOGUE.

Case No. 2:16-CV-1620 JCM (VCF)

Plaintiff(s),

## ORDER

V.

ALLIED COLLECTION SERVICE, INC.,  
et al,

Defendant(s).

Presently before the court is the matter of *Hogue v. Allied Collection Service, Inc. et al.*, case number 2:16-cv-01620-JCM-VCF. On February 7, 2018, the court granted summary judgment in defendant Silver State Schools Credit Union’s (“Silver State”) favor. (ECF No. 66). Plaintiff Richard Hogue appealed. (ECF No. 68). The Ninth Circuit affirmed this court’s dismissal “dismissal of Hogue’s complaint, but on the basis that he lacks Article III standing to bring his claims . . . .” (ECF No. 86 at 5). In particular, the court held that Hogue had shown neither actual harm to his concrete interests nor a material risk thereof. *Id.* at 3–4. Thus, “Hogue has not suffered a concrete injury-in-fact sufficient to confer Article III standing.” *Id.* at 5.

The Ninth Circuit remanded the case with instructions to this court: “enter an order of dismissal without prejudice.” *Id.* at 6. The court does so now.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the matter of *Hogue v. Allied Collection Service, Inc. et al.*, case number 2:16-cv-01620-JCM-VCF, be, and the same hereby is, DISMISSED without prejudice.

IT IS FURTHER ORDERED that Hogue shall file an amended complaint that cures the Article III standing deficiency within 14 days of this order. Failure to file an amended complaint within 14 days will result in a dismissal with prejudice.

4 DATED July 27, 2020.

Jens C. Mahan  
UNITED STATES DISTRICT JUDGE

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